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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/491,779	01/26/2000	Michael Gauselmann	ADP231	9043
7590				
Horst M Kasper				
13 Forest Drive				
Warren, NJ 07059				
			EXAMINER	
			DUFFY, DAVID W	
			ART UNIT	PAPER NUMBER
			3714	
			MAIL DATE	DELIVERY MODE
			12/18/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

December 15, 2009

HORST M KASPER  
13 FOREST DRIVE  
WARREN, NJ 07059  
US

Dear Sir/Madam,

Your refund request for 09491779 in the amount of \$1,730.00 has been denied .

This is in response to your letter submitted on October 19, 2009, wherein you requested a refund in the amount of \$1,730.00.

The request for refund is DENIED.

After thorough inspection of U.S. Patent and Trademark Office physical records and Revenue Accounting Management financial records, it is determined that you are not entitled to a refund of \$1,730.00.

Applicant is requesting a refund of his four month extension of time charged for the amendment submitted on November 19, 2008 (certificate of mailing of November 17, 2008). The main argument for the refund is that in the notice of abandonment, the date of abandonment was indicated as July 18, 2009 which is before the date that he submitted his four month extension of time. A notice of non-compliant letter was mailed June 18, 2008 setting a 30 day time for response. Further amendments were filed but no new time for response was set and all the amendments were considered non-compliant. Applicant's last amendment filed on Nov. 19, 2008 with a certificate of mailing of Nov. 17, 2008 authorized payment of any fees and we charged him a four month extension of time to make his amendment timely. .

Applicant is not entitled to a refund since the extension of time was needed to make the amendment timely therefore the money was not submitted by mistake.

Sincerely,

/MERILYN WATTS/  
Technical Center 3700  
571 272 4398